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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BRIAN BALLENTINE, an individual;
CATALINO DAZO, an individual; KELLY
PATTERSON, an individual; and GAIL
SACCO, an individual,

Plaintiffs,

vs.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, in its official capacity;
DETECTIVE CHRISTOPHER T. TUCKER,
as an individual and in his official capacity as
a Las Vegas Metropolitan Police Department
Detective; SERGEANT MIKE WALLACE,
as an individual and in his official capacity as
a Las Vegas Metropolitan Police Department
Sergeant; and LIEUTENANT JOHN
LIBERTY, as an individual and in his official
capacity as a Las Vegas Metropolitan Police
Department Lieutenant,

Defendants.

Case Number:
2:14-cv-01584-APG-EJY

STIPULATION AND ORDER TO
CONTINUE TRIAL
(FIRST REQUEST)

Date of Trial: 4/10/23
Time of Trial: 9:00 a.m.

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs Brian Ballentine, Catalino Dazo and Kelly Patterson (“Plaintiffs”), by and through their attorney of record, Margaret A. McLetchie, Esq. of McLetchie Law and Defendant Christopher Tucker (“Defendant Tucker”), by and through his attorney of record, Craig R. Anderson, Esq. of Marquis Aurbach, that the trial currently scheduled to begin on April 10, 2023, (ECF No. 269), be continued to the Court’s July 2023 stack.

This Stipulation is entered into for the following reasons:

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1 1. Defense counsel has recently learned that Defendant Tucker has military
2 obligations during the current trial dates.

3 2. In addition, despite Defendant Tucker informing the Ninth Circuit Court of
4 Appeals of the current trial date, the Ninth Circuit Court of Appeals has set oral argument in
5 *Richards v. LVMPD*, 22-15475, for April 12, 2023 in San Francisco, California. Therefore,
6 defense counsel will be unavailable on April 11 or 12, 2023.

7 3. Due to the above conflicts, the parties have met, conferred and agree that a new
8 trial date be set on the Court's July 2023 trial stack.

9 4. This is the first stipulation filed to continue the trial date.

10 IT IS SO STIPULATED this 21st day of February, 2023.

11 MARQUIS AURBACH

MCLETCHIE LAW

12 By: s/Craig R. Anderson
13 Craig R. Anderson, Esq.
14 Nevada Bar No. 6882
15 10001 Park Run Drive
16 Las Vegas, Nevada 89145
17 Attorney for Defendant Tucker

By: s/Margaret A. McLetchie
Margaret A. McLetchie, Esq.
Nevada Bar No. 10931
602 South Tenth Street
Las Vegas, Nevada 89101
Attorney for Plaintiffs

18
19 **ORDER**

20 IT IS SO ORDERED that the trial date of April 10, 2023 be vacated and
21 rescheduled to July 10, 2023 at 9:00 a.m. Calendar call is continued to July 5, 2023 at 9:00
22 a.m. in Las Vegas courtroom 6C.

23
24 IT IS SO ORDERED:

25 Dated: February 22, 2023

26
27 
28 ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE